

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MICHAEL DEAN COOTS,)
)
)
Plaintiff,)
)
)
-vs-) Case No. CIV-16-818-F
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)
OKLAHOMA COUNTY, et al.,)
)
)
Defendants.)

ORDER

On August 17, 2016, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation, recommending that plaintiff's cause of action be dismissed without prejudice under 28 U.S.C. §§ 1915A(b) and 1915(e)(2) for failure to state a claim upon which relief may be granted and on immunity grounds.

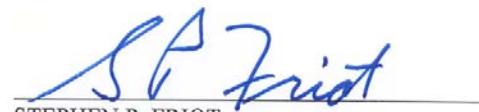
Plaintiff has filed a timely objection to the Report and Recommendation. In addition, plaintiff has filed a document entitled "Relief(s)," which has been docketed by the court clerk as a motion for relief. Upon review of the document, the court construes the same as an additional objection to the Report and Recommendation.

Pursuant to 28 U.S.C. § 636(b)(1), the court has conducted a de novo review of the matter. Having done so, the court concurs with the analysis of Magistrate Judge Purcell. The court finds plaintiff's objections to be without merit, and therefore, the objections are overruled. The court accepts, adopts and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Gary M. Purcell on August 17, 2016 (doc. no. 11) is **ACCEPTED**, **ADOPTED** and **AFFIRMED**. Plaintiff's objections to the Report and

Recommendation (doc. nos. 12 and 13) are **OVERRULED**. Plaintiff's cause of action is **DISMISSED WITHOUT PREJUDICE** under 28 U.S.C. §§ 1915A(b) and 1915(e)(2) for failure to state a claim upon which relief may be granted and on immunity grounds. The dismissal of plaintiff's cause of action counts as one "prior occasion" or "strike" pursuant to 28 U.S.C. § 1915(g). Judgment shall issue forthwith.

DATED August 24, 2016.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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